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TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

May 27, 2010

The Honorable John Whitmire
Texas Senate
Capitol Office 1E.13
P. O. Box 12068, Capitol Station
Austin, Texas 78711

Re: San Jacinto River Waste Pits Federal Superfund Site, Harris County, Texas.

Dear Senator Whitmire:

On March 19, 2008, the Environmental Protection Agency (EPA) added the San Jacinto River Waste Pits Site (the Site) to the National Priorities List (NPL), which is the Superfund list of national priorities among the known or threatened releases of hazardous substances, pollutants, or contaminants throughout the United States. The NPL is intended primarily to guide the EPA in determining which sites warrant further investigation. The Site was listed on the NPL due to the release or threatened release of dioxins and furans into the waterway, including the continuing threat posed by a partially submerged waste fill containing waste with high levels of dioxins and furans.

The Site is located on the western bank of the San Jacinto River, immediately north of the Interstate Highway 10 Bridge, near Houston, in Harris County, Texas. The Site boundaries are Interstate Highway 10 on the south, by the San Jacinto River main channel on the east, and on the north and west by shallow water off the river's main channel. There are three former disposal pits, approximately 3.5 acres in total size, partially submerged below the surface of water, which received wastes from paper mill activities. The total Site covers approximately 20 acres along the San Jacinto River. The primary hazardous substances documented at the Site are polychlorinated dibenzo-p-dioxins and polychlorinated dibenzofurans.

The potentially responsible parties (PRPs), McGinnes Industrial Maintenance Corporation (MIMC) and International Paper Company (IPC), are jointly conducting a Remedial Investigation (RI) and Feasibility Study (FS) at the Site. The RI is conducted to collect and analyze the information needed to determine the extent and nature of the contamination. The FS, which will be conducted following the RI, will identify and evaluate possible technical solutions for the Site. When the FS is completed, public input is solicited through a public meeting and a comment period. After reviewing the public comments, a remedy selection will be made. The EPA, in coordination with the Texas Commission on Environmental Quality (TCEQ), is providing oversight to the RI/FS process.

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The EPA is collaborating with multiple stakeholders on Superfund activities related to the Site. The stakeholders include the TCEQ, Texas Department of State Health Services, Texas Department of Transportation, Texas Parks and Wildlife, Harris County Attorney's Office, Harris County Judge's Office, Harris County Commissioner Precinct 2, Harris County Public Health and Environmental Services, Harris County Public Infrastructure Department, Houston-Galveston Area Council, Galveston Bay Foundation, Port of Houston Authority, MIMC and IPC.

The stakeholders are partnering with the EPA to assist with the achievement of environmental goals and with the community involvement process for the Site. The stakeholders are providing input to the EPA regarding the appropriate containment, remediation, and public safety measures used at the Site. Also, the stakeholders are collaborating with the EPA on community outreach initiatives, which include appropriate strategies to advise the public of the health risks of fishing in and consuming fish from the segment of the San Jacinto River associated with the Site.

During this partnership, significant activities have been accomplished to increase Site awareness and to protect the public, including: erecting a nine foot fence and other barriers in the area to prevent access to and fishing near the Site; designing a tri-lingual (English, Spanish and Vietnamese) danger sign warning people to stay off the Site and not to eat fish or blue crab from this segment of the San Jacinto River; posting the signs approximately 100 feet apart, along the fence; and sending press releases to local newspapers regarding these efforts. The EPA and the PRPs have also executed an Administrative Order on Consent, for the PRPs to conduct a time critical removal action concurrently with the RI/FS.

The TCEQ, on behalf of the stakeholders, will continue to keep you informed of environmental activities and community outreach initiatives regarding this Site. Additional information about the Site is provided in the enclosed NPL Site narrative. You may also find information about the San Jacinto River Waste Pits Federal Superfund Site, at <http://www.epa.gov/region6/6sf> and at www.tceq.state.tx.us/remediation/superfund/epa/SanJacpits. The EPA has established a site information repository, at the Pasadena Public Library, 1201 Jeff Ginn Memorial Drive, Pasadena, Texas 77506, telephone number 713-477-0276. If you would like further information about the Site, please do not hesitate to contact me at 512-239-2277, or if by correspondence, please include Remediation Division, Mail Code 136 in the envelope address.

Sincerely,

Melissa Cordell
for
Robert E. Patton, Manager
Superfund Section
Remediation Division

RP/ct
Enclosure